

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Plaintiffs' Executive Committee for Personal Injury and Death Claims	Plaintiffs' Executive Committee for Commercial Claims
Ronald L. Motley (1944-2013) Jodi Westbrook Flowers, <i>Co-Chair</i> Donald A. Migliori, <i>Co-Chair</i> Robert T. Haeefe, <i>Liaison Counsel</i> MOTLEY RICE LLC	Stephen A. Cozen, <i>Co-Chair</i> Sean P. Carter, <i>Co-Chair</i> J. Scott Tarbutton, <i>Liaison Counsel</i> COZEN O'CONNOR

VIA ECF

November 3, 2023

The Honorable Sarah Netburn, U.S. Magistrate Judge
United States District Court for the S.D.N.Y.
Thurgood Marshall U.S. Courthouse, Room 430
40 Foley Square
New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN) – Publicly
Filing *Daubert* Briefing

Dear Judge Netburn:

We write on behalf of the Plaintiffs' Executive Committees, on consent from the FBI, the Kingdom of Saudi Arabia, and Dallah Avco regarding the public filing of currently sealed *Daubert* briefs (ECF Nos. 9088, 9092, 9163, 9164, 9265, 9269). The parties have reviewed the *Daubert* briefs and marked them for information subject to the FBI and MDL protective orders. The parties propose publicly filing redacted copies of the briefs on the MDL docket while the parties meet and confer about the redactions to determine whether any redactions should be lifted—for example, pursuant to paragraph 4 of the Privacy Act Order and Protective Order for FBI Documents (ECF No. 4255) or Section II.L. of the Court's umbrella protective order in these MDL proceedings (ECF No. 1900 at 14-15)—and the FBI completes its review of the accompanying exhibits. *See* ECF No. 9122 at 1. By agreeing to file the briefs in their current form, none of the parties are waiving their right to seek removal of any current redactions.

We thank the Court for its attention to this matter.

Respectfully submitted,

MOTLEY RICE LLC

COZEN O'CONNOR

By: /s/ Robert T. Haeefe
ROBERT T. HAEFELE
JODI WESTBROOK FLOWERS
DONALD A. MIGLIORI
MOTLEY RICE LLC
28 Bridgeside Boulevard
Mount Pleasant, SC 29465

By: /s/ Sean P. Carter
SEAN P. CARTER
STEPHEN A. COZEN
J. SCOTT TARBUTTON
COZEN O'CONNOR
One Liberty Place
1650 Market Street, Suite 2800

The Honorable Sarah Netburn
November 3, 2023
Page 2

Tel.: (843) 216-9184
Email: rhaefe@motleyrice.com

*For the Plaintiffs' Executive Committee for Personal
Injury and Death Claims*

Philadelphia, Pennsylvania 19103
Tel.: (215) 665-2105

Email: scarter@cozen.com

*For the Plaintiffs' Executive Committee for Commercial
Claims*

cc: The Honorable George B. Daniels, via ECF
All Counsel of Record, via ECF